



City of Albuquerque

Legislative File Number R-06-99 (version 3)

CITY OF ALBUQUERQUE SEVENTEENTH COUNCIL

F/S Amending Bill No. R-05-263 (Enactment No. R-2005-052) as Amended By Bill No. R-06-44 (Enactment No. R-2006-025) That Relates to Continuing the Moratorium on New Development Within a Specified Plan Area (Referred to as Volcano Heights) on the Northwest Mesa (Cadigan)

CITY OF ALBUQUERQUE SEVENTEENTH COUNCIL

**AMENDING BILL NO. R-05-263 (ENACTMENT NO. R-2005-052) AS AMENDED BY BILL NO. R-06-44 (ENACTMENT NO. R-2006-025) THAT RELATES TO CONTINUING THE MORATORIUM ON NEW DEVELOPMENT WITHIN A SPECIFIED PLAN AREA (REFERRED TO AS VOLCANO HEIGHTS) ON THE NORTHWEST MESA;
DECLARING AN EMERGENCY**

WHEREAS, it is necessary to amend Bill No. R-05-263 (Enactment No. R-2005-052) adopted by the City Council on April 4, 2005, as amended by Bill No. R-06-44 (Enactment No. R-2006-025) adopted by the City Council on March 6, 2006, regarding the nature of the moratorium in the Volcano Heights Area, extending the moratorium but providing for development consistent with interim development standards; and

WHEREAS, the City Council has accepted the Volcano Heights Planning Study; and

WHEREAS, the City has adopted policies in its Rank 1 Comprehensive Plan relating to development in Centers and Corridors; and

WHEREAS, the City has retained a multi-disciplinary team led by White &

Smith, LLC to develop new mixed use zones and to adjust impact fees based upon development efficiencies for the utilization of public infrastructure (e.g., streets, hydrology, water, wastewater); and

WHEREAS, the City also has retained a multi-disciplinary team led by White & Smith, LLC to develop a growth management program for the Volcano Heights study area; and

WHEREAS, the City has actively engaged in planning for the Volcano Heights planning area since October 4, 2004 and is proceeding diligently to complete these efforts; and

WHEREAS, after substantial public review by the City Council and the Environmental Planning Commission an extension of the moratorium is necessary; and

WHEREAS, the current moratorium for the Volcano Heights Plan Area expires on August 7 and substantial harm will be done to the nature of the Volcano Heights Sector Development Plan by allowing possibly irreversible approvals to occur after August 7th between this date and the date of the adoption of the Volcano Heights Sector Development Plan.

BE IT RESOLVED BY THE COUNCIL, THE GOVERNING BODY OF THE CITY OF ALBUQUERQUE THAT:

Section 1. Section 4 of Bill No. R-05-263 as amended by R-06-44 is amended as follows.

“Section 4. Upon the effective date of this Resolution to December 18, 2006 or when the Volcano Heights Plan and development regulations have been adopted by the City Council and become effective, whichever is sooner, the City shall not approve any building permit, site development plan, zone map amendment, subdivision, special exception, preliminary or final plat, grading permit, public improvement district or special assessment resolution for any property entirely or partially within the Plan Area designated on Exhibit A attached hereto. This moratorium shall not include SAD 227, La Cuentista, Phase/Units of The Trails, and the Vista Vieja Subdivision in the Plan Area. Each of these areas is

identified in Exhibit A attached herewith. No substantive modification of the development approvals and agreements for these projects shall be made during the moratorium period except as provided herein.”

Section 2. The Council declares an emergency and this resolution shall become effective upon adoption by the Council.

X:\SHARE\Legislation\Seventeen\R-99fsfin.doc